

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Joint Stock Company “Channel One Russia Worldwide,”
Closed Joint Stock Company “CTC Network,” Closed
Joint Stock Company “TV DARIAL,” Closed Joint
Stock Company “New Channel,” Limited Liability
Company “Rain TV-Channel,” Limited Liability
Company “Veriselintel,” Open Joint Stock Company
“ACCEPT”, and Limited Liability Company “Comedy TV.”

Index No. 16-cv-01318
(GBD)(BCM)

Plaintiffs,

NOTICE OF MOTION

-against-

INFOMIR LLC (www.infomirusa.com),
PANORAMA ALLIANCE LP (www.mypanorama.tv),
GOODZONE TV (www.gudzon.tv),
MATVIL CORPORATION d/b/a eTVnet (www.etvnet.com),
MIKHAIL GAYSTER,
ACTAVA TV, INC. (www.actava.tv),
MASTER CALL COMMUNICATIONS, INC.,
MASTER CALL CORPORATION,
ROUSLAN TSOUTIEV, and
John Does 1-50.

Defendants.

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PLEASE TAKE NOTICE that upon the Declaration of Raymond J. Dowd dated December 13, 2016 with Exhibits 1-10; the Verified Complaint and all of the prior papers and proceedings had to date in this matter that Plaintiffs Joint Stock Company “Channel One Russia Worldwide,” Closed Joint Stock Company “CTC Network,; Closed Joint Stock Company “TV DARIAL,” Closed Joint Stock Company “New Channel,” Limited Liability Company “Rain TV-Channel,” and Limited Liability Company “Comedy TV” (hereinafter “Plaintiffs”) will move this Honorable Court at a date and time to be set by the Court for the entry of an Order: against Defendants Actava TV, Inc., Master Call Communications, Inc., Master Call Corporation and Rouslan Tsoutiev (the “Actava Defendants”) as follows:

- (1) holding the Actava Defendants in contempt;
- (2) requiring the Actava Defendants to immediately to comply with the Injunctions;
- (3) awarding the Broadcasters, after inquest, their actual damages in the amount of the Actava Defendants' profits from their contempt, and trebling such damages as authorized by statute;
- (4) or, if it is greater, or if the Actava Defendants fail to comply with the discovery necessary to determine the extent of the Actava Defendants' profits, awarding statutory damages to Broadcasters in an amount authorized under the Federal Communications Act (47 U.S.C. § 605(e)(4)) or Copyright Act (17 U.S.C. § 504) for the Actava Defendants' knowing and intentional violation of those Acts, and trebling such damages as authorized by statute;
- (5) compelling the Actava Defendants to provide discovery to Broadcasters including but not limited to (a) copies of any and all documents reflecting distribution of the Programming on or after June 3, 2016, (b) copies of all documents (including electronically stored information) relating to the Actava Defendants distribution of the Programming on or after June 3, 2016, (c) information relating to all monies received on or after June 3, 2016 relating to the Broadcasts, including but not limited to an accounting of any income earned, the number of subscribers, agreements with payment processors and other persons, and any anticipated future cash flows relating to the subject matter of this action; and (d) authorizing Broadcasters' independent accountant to inspect the books and records of the Actava Defendants to determine the Actava Defendants' profits from their contempt since June 3, 2016;

- (6) awarding reasonable costs and attorneys' fees incurred in connection with this enforcement proceeding as required by the Injunctions; and
- (7) an order, payable to Broadcasters, awarding a \$10,000 or other reasonable penalty for each day following entry of the Court's contempt order that the Actava defendants remain in contempt.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, shall be filed and served in accordance with the Local Rules of the Southern District of New York or as directed by the Court.

A proposed Order is attached for this Court's consideration.

Dated: New York, New York
December 13, 2016

Respectfully submitted,

**DUNNINGTON BARTHOLOW & MILLER
LLP**
Attorneys for Plaintiffs

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